

EXECUTIVE DEPARTMENT OFFICE OF MANAGEMENT AND BUDGET Budget Development, Planning and Administration State Planning Coordination

October 28, 2008

Mr. Dominic Balascio The Putnam Group 50 Albe Drive Newark, De 19702

RE: PLUS 2008-09-02; Odessa Commons

Dear Mr. Balascio:

Thank you for meeting with State agency planners on October 1, 2008 to discuss the proposed plans for the Odessa Commons project to be located on Route 299 partially within the Town of Odessa.

According to the information received, you are seeking a rezoning and site plan approval for a mixed use community consisting of about 150,000 square feet of commercial space, a civic use of undetermined size, about 65 townhouses, about 115 single-family detached houses, and about 75 apartments over the commercial space.

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as you plan to annex into the Town of Odessa, they would be the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the County.

Executive Summary

The following section includes some site specific highlights from the agency comments found in this letter. This summary is provided for your convenience and reference. The full text of this letter represents the official state response to this project. *Our office*

notes that the applicants are responsible for reading and responding to this letter and all comments contained within it in their entirety.

State Strategies/Project Location

• The project is located in Investment Level 2 and 3 areas according to the State Strategies for Policies and Spending, and will be annexed into the Town of Odessa and as such the State supports development in this area.

Street Design and Transportation

- While DelDOT agrees that the design of the development will minimize the number of external trips generated, they still expect that number to be large enough to warrant a traffic impact study.
- While DelDOT agrees that a second entrance is needed on Route 299, in addition to the one opposite Marcus Road, the location of that second entrance is a concern because of the curve on Route 299. As such, a sight distance analyses will need to be done.

Natural and Cultural Resources

- The Water Supply Section recommends that the portion of the new development within the excellent ground-water recharge area not exceed 20% impervious cover.
- A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site.

This office has received the following comments from State agencies:

Office of State Planning Coordination - Contact: Herb Inden 739-3090

The project is located in Investment Level 2 and 3 areas according to the 2004 State Strategies for Policies and Spending, and is also expected to be annexed into the Town of Odessa. As with any development of open land, there are concerns and issues as expressed in this letter that we would trust that the developers can accommodate. That said, the mixed-use development concept, as presented at this PLUS meeting is one that we greatly support as it embraces the Smart Growth values promoted by Livable Delaware and we believe that if developed in a manner as presented to us that it will be an exemplary Livable Delaware project.

State Historic Preservation Office (SHPO) – Contact: Terrence Burns 739-5685

No comments received

Department of Transportation – Contact: Bill Brockenbrough 760-2109

- DelDOT supports the proposed development in concept. Mixed use developments like the one proposed are desirable from a transportation perspective and are consistent, in their view, with the Strategies for State Policies and Spending. Having said that, the plans they have seen thus far are still conceptual, with several matters yet to be resolved. If the Town finds the proposed annexation and rezoning to be appropriate DelDOT does not object to such approvals being given, but any plan approvals at this time should be extremely limited. Specific concerns are discussed below.
- While DelDOT agrees that the design of the development will minimize the number of external trips generated, they still expect that number to be large enough to warrant a traffic impact study. DelDOT would recommend that record plan approvals be withheld until the Town has received and understood the review of such a study, as it could affect the site design or identify off-site improvements to which parts of the development should be phased. To begin that study the developer should have their traffic engineer contact Mr. Troy Brestel of this office. Mr. Brestel may be reached at (302) 760-2167.
- 3) While DelDOT agrees that a second entrance is needed on Route 299, in addition to the one opposite Marcus Road, the location of that second entrance is a concern because of the curve on Route 299. As such, a sight distance analyses will need to be done.
- The proposed "Civic Use" remains a concern as long it is undefined. Such uses can be important additions to community life but they also have the potential to be objectionable to their neighbors. It is recommended that the Town consider, and possibly restrict, this use carefully. As necessary, DelDOT can provide assistance in determining the expected traffic that would result from various possible uses of certain sizes.
- 5) DelDOT recommends that the developer's site engineer contact the DelDOT Subdivision Manager for southern New Castle County, Mr. Pao Lin, for more detailed comments on the site access and required frontage improvements. Mr. Lin may be reached at (302) 760-2157.

<u>The Department of Natural Resources and Environmental Control – Contact:</u> Kevin Coyle 739-9071

Overall Comment

DNREC's concerns about this project center on its location in an excellent recharge area, combined with an apparent underestimation of impervious cover and a source water protection ordinance that does not sufficiently protect the resource (see the discussion below). Following the TR-55 methodology for determining impervious cover, it would appear that the mix of commercial space and small residential lots would yield an impervious cover closer to 75-80 percent. DNREC requests the applicant share its calculations for determining impervious cover.

Soils

Based on the New Castle County soil survey, Matapeake (0-2 & 2-5% slopes) and Reybold-Sassafras complex (5-10%) were mapped on subject parcel. The soils mapped as Matapeake generally have few limitations for development, while the soils mapped as Reybold-Sassafras complex have moderate limitations for development because of their steeper sloping topography (5-10% slopes)

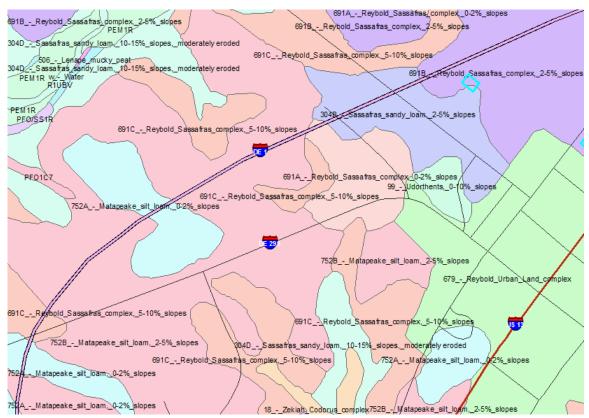


Figure 1: NRCS soil survey mapping in the vicinity of Odessa Commons.

Impervious Cover

Based on information provided by the applicant in the PLUS application form, this project's post-development surface imperviousness is estimated to reach 40-50%. However, since the conceptual project layout was not available at the time of review it was not clear whether this was a realistic assessment or not. When calculating surface imperviousness it is important to include all forms of constructed surface imperviousness (i.e., rooftops, parking lots, sidewalks, stormwater management structures, and roads) in the calculation for surface imperviousness; this will ensure a realistic assessment of this project's likely post-construction environmental impacts.

Studies have shown a strong relationship between increases in impervious cover to decreases in a watershed's overall water quality. It is strongly recommended that the applicant implement best management practices (BMPs) that reduce or mitigate some of its most likely adverse impacts. Reducing the amount of surface imperviousness through the use of pervious paving materials ("pervious pavers") in lieu of asphalt or concrete in conjunction with an increase in forest cover preservation or additional tree plantings – are some examples of practical BMPs that could easily be implemented to help reduce surface imperviousness.

TMDLs

Total Maximum Daily Loads (TMDLs) for nitrogen and phosphorus have been promulgated through regulation for the Appoquinimink watershed. A TMDL is the maximum level of pollution allowed for a given pollutant below which a "water quality limited water body" can assimilate and still meet water quality standards to the extent necessary to support use goals such as, swimming, fishing, drinking water and shell fish harvesting. Although TMDLs are required by federal law, states are charged with developing and implementing standards to support these desired use goals. In the Appoquinimink watershed, a post-development TMDL reduction level of 60 percent will be required for both nitrogen and phosphorus. Additionally, an 8% reduction in bacteria will also be required.

TMDL Compliance through the Pollution Control Strategy (PCS)

As stated above, TMDLs for nitrogen and phosphorus have been promulgated through regulation for the Appoquinimink Watershed. The TMDL calls for a 60% reduction for nitrogen and phosphorus from baseline conditions. Additionally, an 8% reduction in bacteria will also be required. The Department developed an assessment tool to evaluate how your proposed development may reduce nutrients to meet the TMDL requirements. Additional reductions may be possible through the implementation of Best Management Practices such as reducing surface imperviousness, increasing passive wooded open space, and the use of green-technology stormwater management treatment trains. Contact Lyle Jones at 302-739-9939 for more information on the assessment tool.

Water Resource Protection Areas

The Water Supply Section Ground-Water Protection Branch (GPB) has determined that the western portion of the development falls within an excellent ground-water recharge area (see following map and attached map). The Town of Odessa is proposing annexation of these parcels. DNREC appreciates the Town's decision to adopt a source water ordinance though they were not required by <u>Del. Code</u> Title 7 Chapter 60 Subchapter VI, § 6082. As written, however, the Town's Environmental Standards pertaining to source water protection are not protective of the resource. If annexed, this area of excellent ground-water recharge potential would not be afforded protection.

Excellent ground-water recharge potential areas are those areas mapped by the Delaware Geological Survey where the first 20 feet of subsurface soils and geologic materials are exceptionally sandy. These soils are able to transmit water very quickly from the land surface to the water table. This map category is an "indicator of how fast contaminants will move and how much water may become contaminated" (Andres, 2004, pg 1). Land use activities or impervious cover on areas of excellent ground-water recharge potential may adversely affect the quantity and quality of ground water beneath these areas.

The Applicant stated that the proposed development would change the impervious cover from 0% to approximately 40-50%. An ArcMap analysis shows approximately 8.67 acres of excellent ground-water recharge potential area within the proposed development. The analysis determined the amount of impervious cover is approximately 90% within the area of recharge.

The Water Supply Section recommends that the portion of the new development within the excellent ground-water recharge area not exceed 20% impervious cover. Allowance for augmenting ground-water recharge must be implemented if the impervious cover exceeds 20% but is less than 50% of that portion of the parcel within this area. However, the development should not exceed 50% regardless (DNREC, 2005). A water balance calculation (environmental assessment) is necessary to determine the quantity of clean water to be recharged via a recharge basin (Kaufman, 2005). The purpose of an impervious cover threshold is to minimize loss of recharge (and associated increases in storm water) and protect the quality and quantity of ground water.

In contrast, and *Draft Appendix VIII Environmental Standards of the Town of Odessa* Article XII, 120.0, Section F (2) requires at least 25% 'Open Space' in excellent groundwater recharge areas. This section also refers to the "Town's definition of Open Space as defined in this Ordinance". The definition for Open Space could not be found in the Town's Zoning Ordinance or Environmental Standards definitions sections. The Town's ordinance allowance of 75% impervious cover threshold exceeds DNREC recommendations and New Castle County's UDC standards.

In addition, because the excellent ground water recharge area can so quickly affect the underlying aquifer if contaminants are spilled or discharged across the area, the storage of hazardous substances or wastes should not be allowed within the area unless specific approval is obtained from the relevant state, federal, or local program.

References

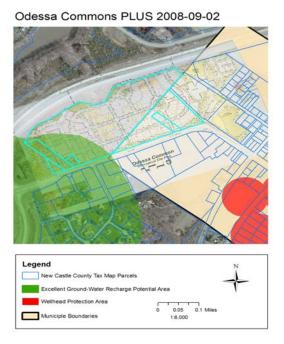
Andres, A. Scott, 1991, Methodology for Mapping Ground-Water Recharge Areas in Delaware's Coastal Plain: Delaware Geological Survey Open File Report No. 34, p. 18.

Delaware Department of Natural Resources and Environmental Control (2005): Source Water Protection Guidance Manual for the Local Governments of Delaware: Dover, DE, 144 p.

http://www.wr.udel.edu/publications/SWAPP/swapp_manual_final/swapp_guidanace_manual_final.pdf

Kauffman, G.J., Wozniak, S.L., and Vonck, K.J., 2005, *Delaware Ground-Water Recharge Design Manual*: Newark, DE, Water Resources Agency, University of Delaware, p. 31.

http://www.wr.udel.edu/swaphome/Publications/SWPguidancemanual.html



Water Supply

The information provided indicates that Artesian Water Company will provide water to the proposed projects through a central water system. DNREC files reflect that Artesian Water Company does not currently hold a Certificate of Public Convenience and Necessity (CPCN) to provide public water in these areas. They will need to file an application for a CPCN with the Public Service Commission, if they have not done so already. Information on CPCN requirements and applications can be obtained by contacting the Public Service Commission at 302-736-7547. Since an on-site public well will be needed, a minimum isolation distance of 150 feet is required between the well and any potential source of contamination, such as a septic tank and sewage disposal area, and at least 150 feet from the outermost boundaries of the project. The Division of Water Resources will consider applications for the construction of on-site wells provided the wells can be constructed and located in compliance with all requirements of the Regulations Governing the Construction and Use of Wells. A well construction permit must be obtained prior to constructing any wells.

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-9944.

Sediment and Erosion Control/Stormwater Management

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. Contact the reviewing agency to schedule a preapplication meeting to discuss the sediment and erosion control and stormwater management components of the plan as soon as practicable. The site topography, soils mapping, pre- and post-development runoff, and proposed method(s) and location(s) of stormwater management should be brought to the meeting for discussion. The plan review and approval as well as construction inspection will be coordinated through the New Castle County Department of Land Use Engineering Section. Contact the Department of Land Use at (302) 395-5470 for details regarding submittal requirements and fees.

Drainage

The Drainage Program requests that the engineer take precautions to ensure the project does not hinder any off site drainage upstream of the project or create any off site drainage problems downstream by the release of on site storm water. The Drainage Program requests that the engineer check existing downstream ditches and pipes for

PLUS - 2008-09-02 Page 9 of 17

function and blockages prior to the construction. Notify downstream landowners of the change in volume of water released on them.

Rare Species

Natural Heritage and Endangered Species Program staff has never surveyed this site; therefore, it is unknown if there are state-rare or federally listed plants, animals or natural communities that would be impacted by this project. However, according to the GIS database and aerial photographs, habitat that would support these species is not likely to occur within the project area.

Site Investigation and Restoration

No SIRB sites or salvage yards were found within a ½-mile radius of the proposed development. However, based on the previous agricultural use of the proposed project site, which may have involved the use of pesticides and herbicides, SIRB recommends that a Phase I Environmental Site Assessment be performed prior to development. In addition, should a release or imminent threat of a release of hazardous substances be discovered during the course of development (e.g., contaminated water or soil), construction activities should be discontinued immediately and DNREC should be notified at the 24-hour emergency number (800-662-8802). SIRB should also be contacted as soon as possible at 302-395-2600 for further instructions.

Under/Aboveground Storage Tanks

There are five (5) inactive LUST project sites and one (1) active LUST project site located within a quarter mile from the proposed project:

Name: Kayo Gas Station (Inactive)

Facility ID: 3-000248 Project: N8707031

Name: The Market Place of Odessa (Inactive)

Facility ID: 3-001053 Project: N8907267

Name: Odessa Getty Service Station (Inactive)

Facility ID: 3-001034 Project: N9007050

Name: Gerald Fishman Getty (Inactive and cross-referenced to N9007050)

Facility ID: 3-001034 Project: N9006038

Name: Traders Gulf (Active)

Facility ID: 3-000313

PLUS – 2008-09-02 Page 10 of 17

Project: N9209221

Name: Former Chevron Station (Inactive)

Facility ID: 3-000908 Project: N9006041

Should any underground storage tanks or petroleum contaminated soil be discovered by any person during construction, the DNREC-TMB at (302) 395-2500 and the DNREC Emergency Response Hotline at (800) 662-8802 must be notified within 24 hours.

Should any contamination be encountered, PVC pipe materials will have to be replaced with ductile steel and nitrile rubber gaskets in the contaminated areas.

Also, please note that if any aboveground storage tanks (ASTs) less than 12,500 gallons are installed, they must be registered with the TMB. If any ASTs greater than 12,500 gallons are installed, they are also subject to installation approval by the TMB.

Air Quality

Housing developments may unnecessarily emit, or cause to be emitted, significant amounts of air contaminants into Delaware's air, which will negatively impact public health, safety and welfare. These negative impacts are attributable to:

- Emissions that form ozone and fine particulate matter; two pollutants relative to which Delaware currently violates federal health-based air quality standards,
- The emission of greenhouse gases which are associated with climate change, and
- The emission of air toxics.

Air emissions generated from housing developments include emissions from:

- Area sources like painting, lawn and garden equipment and the use of consumer products like roof coatings and roof primers.
- The generation of electricity needed to support the homes in your development, and
- Car and truck activity associated with the homes in your new development.

These three air emissions components (i.e., area, electric power generation, and mobile sources) are quantified below, based on a per household/residential unit emission factor that was developed using 2002 Delaware data. These emissions in the table represent the actual impact the Odessa Commons development may have.

Emissions Attributable to Odess	a Commons Subdivision ((Tons per Year)
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	Volatile		•	Fine	
	Organic	Nitrogen	Sulfur	Particulate	Carbon
	Compounds	Oxides	Dioxide	Matter	Dioxide
	(VOC)	(NOx)	(SO_2)	$(PM_{2.5})$	(CO_2)
Direct Residential	5.6	0.6	0.5	0.7	22.6
Electrical Power Generation	ND*	2.2	7.7	ND*	1,132.9
Mobile	13.8	11.4	8.4	0.8	1,155.5
Total	19.4	14.2	16.6	1.5	2,311.0

^(*) Indicates data is not available.

Note that emissions associated with the actual construction of the subdivision, including automobile and truck traffic from working in, or delivering products to the site, as well as site preparation, earth moving activities, road paving and other miscellaneous air emissions, are not reflected in the table above.

Recommendations:

The applicant shall comply with all applicable Delaware air quality regulations. These regulations include:

Regulation 6 - Particulate Emissions from Construction and Materials Handling	 Using dust suppressants and measures to prevent transport of dust off-site from material stockpile, material movement and use of unpaved roads. Using covers on trucks that transport material to and from site to prevent visible emissions.
Regulation 1113 – Open Burning	 Prohibiting open burns statewide during the Ozone Season from May 1-Sept. 30 each year. Prohibiting the burning of land clearing debris. Prohibiting the burning of trash or building materials/debris.
Regulation 1145 – Excessive Idling of Heavy Duty Vehicles	 Restricting idling time for trucks and buses having a gross vehicle weight of over 8,500 pounds to no more than three minutes.

Additional measures may be taken to substantially reduce the air emissions identified above. These measures include:

• Constructing only energy efficient homes. Energy Star qualified homes are up to 30% more energy efficient than typical homes. These savings come from building envelope upgrades, high performance windows, controlled air infiltration, upgraded heating and air conditioning systems, tight duct systems and upgraded water-heating equipment. Every percentage of increased energy efficiency translates into a percent reduction in pollution. The Energy Star Program is excellent way to save on energy costs and reduce air pollution.

- Offering geothermal and/or photo voltaic energy options. These systems can significantly reduce emissions from electrical generation, and from the use of oil or gas heating equipment.
- Providing tie-ins to the nearest bike paths and links to any nearby mass transport system. These measures can significantly reduce mobile source emissions.
- **Funding a lawnmower exchange program**. New lawn and garden equipment emits significantly less than equipment as little as 7 years old, and may significantly reduce emissions from this new development. The builder could fund such a program for the new occupants.

Additionally, the following measures will reduce emissions associated with the actual construction phase of the development:

- Using retrofitted diesel engines during construction. This includes equipment that are on-site as well as equipment used to transport materials to and from site.
- Using pre-painted/pre-coated flooring, cabinets, fencing, etc. These measures can significantly reduce the emission of VOCs from typical architectural coating operations.
- Planting trees at residential units and in vegetative buffer areas. Trees reduce emissions by trapping dust particles and by replenishing oxygen. Trees also reduce energy emissions by cooling during the summer and by providing wind breaks in the winter, whereby reducing air conditioning needs by up to 30 percent and saving 20 to 50 percent on fuel costs.

This is a partial list, and there are additional things that can be done to reduce the impact of the development on air quality. The applicant should submit a plan to the DNREC Air Quality Management Section which address the above listed measures, and that details all of the specific emission mitigation measures that will be incorporated into the Odessa Commons development. Air Quality Management Section points of contact are Phil Wheeler and Deanna Morozowich, and they may be reached at (302) 739-9402.

State Fire Marshal's Office – Contact: Duane Fox 856-5298

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office. At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans depicting the following in accordance with the Delaware State Fire Prevention Regulation (DSFPR):

a. Fire Protection Water Requirements:

- ➤ Water distribution system capable of delivering at least 1500 gpm for 2-hour duration, at 20-psi residual pressure is required. Fire hydrants with 800 feet spacing on centers.
- ➤ Where a water distribution system is proposed for Mercantile sites, the infrastructure for fire protection water shall be provided, including the size of water mains for fire hydrants and sprinkler systems.

b. Fire Protection Features:

- All structures over 10,000 Sq. Ft. aggregate will require automatic sprinkler protection installed.
- ➤ Buildings greater than 10,000 sq.ft., 3-stories or more, over 35 feet, or classified as High Hazard, are required to meet fire lane marking requirements
- ➤ Show Fire Department Connection location (Must be within 300 feet of fire hydrant), and detail as shown in the DSFPR.
- ➤ Show Fire Lanes and Sign Detail as shown in Delaware State Fire Prevention Regulations.
- For townhouse buildings, provide a section / detail and the UL design number of the 2-hour fire rated separation wall on the Site plan

c. Accessibility

- All premises, which the fire department may be called upon to protect in case of fire, and which are not readily accessible from public roads, shall be provided with suitable gates and access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. This means that the access road to the subdivision from Route 299 must be constructed so fire department apparatus may negotiate it.
- Fire department access shall be provided in such a manner so that fire apparatus will be able to locate within 100 ft. of the front door.
- ➤ The use of speed bumps or other methods of traffic speed reduction must be in accordance with Department of Transportation requirements.
- The local Fire Chief, prior to any submission to our Agency, shall approve in writing the use of gates that limit fire department access into and out of the development or property.

d. Gas Piping and System Information:

Provide type of fuel proposed, and show locations of bulk containers on plan.

e. Required Notes:

- ➤ Provide a note on the final plans submitted for review to read "All fire lanes, fire hydrants, and fire department connections shall be marked in accordance with the Delaware State Fire Prevention Regulations"
- Proposed Use

- ➤ Alpha or Numerical Labels for each building/unit for sites with multiple buildings/units
- > Square footage of each structure (Total of all Floors)
- ➤ National Fire Protection Association (NFPA) Construction Type
- Maximum Height of Buildings (including number of stories)
- ➤ Note indicating if building is to be sprinklered
- ➤ Name of Water Provider
- Letter from Water Provider approving the system layout
- Townhouse 2-hr separation wall details shall be shown on site plans
- Provide Lock Box Note (as detailed in DSFPR) if Building is to be sprinklered
- Provide Road Names, even for County Roads

Preliminary meetings with fire protection specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.statefiremarshal.delaware.gov, technical services link, plan review, applications or brochures.

Department of Agriculture - Contact: Scott Blaier 739-4811

The Delaware Department of Agriculture has no objections to the proposed development. The project is to be fully annexed into the Town of Odessa, and the *Strategies for State Policies and Spending* encourages environmentally responsible development in Investment Level 2 and 3 areas.

The Department is pleased to see trees as an integral part of the project's design. The Department has an urban forester on staff who would like to assist the developer and town in meeting its tree planting goal on this project. Please contact Henry Poole of the Delaware Forest Service for more information at (302) 659-6705 or 698-4547.

Right Tree for the Right Place

The Delaware Department of Agriculture Forest Service encourages the developer to use the "Right Tree for the Right Place" for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

Do Not Plant List

Due to the high risk of mortality from insects and disease, the Delaware Forest Service does not recommend planting any of the following species:

Callery Pear Leyland Cypress PLUS – 2008-09-02 Page 15 of 17

Red Oak (except for Willow Oak) Ash Trees

Native Landscapes

The Delaware Department of Agriculture and the Delaware Forest Service encourages the developer to use native trees and shrubs to buffer the property from the adjacent landuse activities near this site. A properly designed forested buffer can create wildlife habitat corridors and improve air quality to the area by removing six to eight tons of carbon dioxide annually and will clean our rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive to our local landscapes, please contact the Delaware Department of Agriculture Plant Industry Section at (302) 698-4500.

Public Service Commission - Contact: Andrea Maucher 739-4247

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

Delaware Economic Development Office – Contact: Jeff Stone 672-6849

No comments received.

<u>Delaware Division of Public Health- Health Promotion Bureau- contact Michelle</u> Eichinger (302) 744-1011

Ensuring that new residential and commercial development incorporates pedestrian- and bicycle-friendly features allows people to travel by foot or by bicycle and promotes physical activity as part of daily routines. Regular physical activity offers a number of health benefits, including maintenance of weight and prevention of heart disease, type 2 diabetes and other chronic diseases. Research shows that incorporating physical activity into daily routines has the potential to be a more effective and sustainable public health strategy than structured exercise programs. This is particularly important considering about 65% of adult Delawareans are either overweight or obese. This current obesity crisis is also affecting children. Approximately 37% of Delaware's children are overweight or obese, which places them at risk for a range of health consequences that include abnormal cholesterol, high blood pressure, type 2 diabetes, asthma, depression and anxiety.

In Delaware, as in other states across the nation, certain patterns of land use can act as a barrier to physical activity and healthy eating for children and adults alike. Examples of such barriers include neighborhoods constructed without sidewalks or parks and shopping centers with full-service grocery stores situated too far from residential areas to allow for walking or biking between them.

This proposed development is in a Level 2 area. Developing is such an area is consistent with the *Strategies for State Policies and Spending*. DPH is committed to the *Strategies* and therefore, does support development in the proposed area.

DPH supports new development in and around existing towns and municipalities where compact and mixed land use patterns facilitate physical activity. As a way to promote physical activity and access to healthy foods, we recommend that the following amenities be included in the Odessa Commons plan:

Amenities to encourage active transportation

- Ensure that there is safe connectivity, via crosswalks and sidewalks, within the commercial development.
- Ensure that there are sidewalks, crosswalks and walking/bicycling paths connecting the neighboring residential developments, such as Townsend Village, to the commercial development.
- Designate bike paths to supplement the sidewalks already proposed in the plan so that visitors to the Shoppes of Townsend can travel by foot or by bicycle. In addition, install bike racks in convenient locations within commercial development.

Amenities to encourage recreation

- Incorporate playgrounds within the mixed residential area. If feasible, consider including a walking path around the playground area.
- Incorporate a playground in the community commercial area. This would offer active recreation opportunities for children and their caregivers during visits to the retail shops.
- Designate open space for active recreation for the residents in this community. Consider including a picnic area, as well as, tennis courts, basketball courts, shuffleboard, or horseshoe areas.

Increase opportunities for healthy eating

• Designate an area for a seasonal farm stand or mini farmer's market that will promote the sale of fruits and vegetables. Not only will this benefit commercial property users but the neighboring residential developments as well.

¹ Nemours Health and Prevention Services (2005). *Delaware Children's Health Chartbook*, Newark, DE.

² Active Living by Design. *Transportation Fact Sheet*. Retrieved May 17, 2007, from http://www.activelivingbydesign.org/fileadmin/template/documents/factsheets/TransportationFactsheet.pdf.

³ Delaware Health and Social Services (2008), *Division of Public Health, Behavioral Risk Factor Surveillance System (BRFSS), 1990-2007.*

⁴ Nemours Health and Prevention Services (2007). 2006 Delaware Survey of Children's Health Descriptive Statistics Summary, Volume 1.

Delaware State Housing Authority – Contact Vicki Powers 739-4263

This proposal is for a rezoning and site plan review of 550,000 sq. ft of residential property, 150,000 sq. ft of commercial and civic use property. The proposal is located by Route 1 to the north and west, Odessa Memorial Park to the east, and Route 299 to the south, approximately half the project lies within the corporate limits of the Town of Odessa and half within the corporate limits of New Castle County. According to the *State Strategies Map*, the proposal is located in an Investment Level 2 and 3 area. DSHA supports this proposal because residents will have proximity to existing services, markets, and employment opportunities. Furthermore, the proposal targets units for first time homebuyers. For informational purposes, the most recent real estate data collected by DSHA shows the median home price in New Castle County to be \$240,000. However, households earning respectively 100% of New Castle County's median income only qualify for mortgages of \$228,930, thus creating an affordability gap of \$11,070.00. The provision of units within reach of households earning at least 100% of New Castle County's median income would help increase their housing opportunities.

<u>Department of Education - Contact: John Marinucci 735-4055</u>

No comments received.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

Constance C. Holland, AICP

Director

CC: Town of Odessa New Castle County

